



Indiana Pro Bono Commission
230 East Ohio Street, 4th Floor
Indianapolis, IN 46204

Indiana Bar Foundation
230 East Ohio Street, Suite 110
Indianapolis, IN 46204

COMBINED 2002 DISTRICT REPORT, 2004 PRO BONO GRANT APPLICATION, AND 2004 PLAN

Pro Bono District Five

Applicant: District Five Pro Bono Committee

Mailing Address: c/o Hon. Thomas C. Perrone, Judge, Cass Superior Court #1

200 Court Park, Room 401 **City:** Logansport, IN **Zip:** 46947

Phone: (574) 753-7735 **Fax:** (574) 753-7845

E-mail address: supcourt1@casscountygov.org **Web site address:** N/A

Judicial Appointee: Hon. Thomas C. Perrone, Judge Cass Superior Court #1

Plan Administrator: Hon. Thomas C. Perrone, Judge Cass Superior Court #1

Names of Counties served: Cass, Fulton, Howard, Miami, Tipton and Wabash

Amount of grant received for 2002: \$11,000

- **Amount of grant unused from 2002 and previous years:** \$9,097.96
- *** Amount of grant unused but committed to expenses in 2003:** \$3,060.00

Amount of grant received for 2003: \$5,940

Amount requested for 2004: \$6,000

*** Please submit request for approval to the Indiana Bar Foundation.**

PRO BONO DISTRICT NUMBER V LETTER OF REPRESENTATION
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The following representations, made to the best of our knowledge and belief, are being provided to the Indiana Pro Bono Commission and Indiana Bar Foundation in anticipation of their review and evaluation of our funding request and our commitment and value to our Pro Bono District.

Operation under Rule 6.5

In submitting this application for funding, this district is representing itself as having a Pro Bono Plan, which is pursuant to Rule 6.5 of the Indiana Rules of Professional Conduct. The plan enables attorneys in our district to discharge their professional responsibilities to provide civil legal pro bono services; improves the overall delivery of civil legal services to persons of limited means by facilitating the integration and coordination of services provided by pro bono organizations and other legal assistance organizations in our district; and ensures access to high quality and timely pro bono civil legal services for persons of limited means by (1) fostering the development of new civil legal pro bono programs where needed and (2) supporting and improving the quality of existing civil legal pro bono programs. The plan also fosters the growth of a public service culture within the our district which values civil legal pro bono publico service and promotes the ongoing development of financial and other resources for civil legal pro bono organizations.

We have adhered to Rule 6.5 (f) by having a district pro bono committee composed of:

- A. the judge designated by the Supreme Court to preside;
- B. to the extent feasible, one or more representatives from each voluntary bar association in the district, one representative from each pro bono and legal assistance provider in the district, and one representative from each law school in the district; and
- ~~C. at least two (2) community at large representatives, one of whom shall be a present or past recipient of pro bono publico legal services.~~

We have determined the governance of our district pro bono committee as well as the terms of service of our members. Replacement and succession members are appointed by the judge designated by the Supreme Court.

Pursuant to Rule 6.5 (g) to ensure an active and effective district pro bono program, we:

- A. prepare in written form, on an annual basis, a district pro bono plan, including any county sub-plans if appropriate, after evaluating the needs of the district and making a determination of presently available pro bono services;
- B. select and employ a plan administrator to provide the necessary coordination and administrative support for the district pro bono committee;
- C. implement the district pro bono plan and monitor its results;
- D. submit an annual report to the Commission; and
- E. forward to the Pro Bono Commission for review and consideration any requests which were presented as formal proposals to be included in the district plan but were rejected by the district committee, provided the group asks for review by the Pro Bono Commission.

Commitment to Pro Bono Program Excellence

We also understand that ultimately the measure of success for a civil legal services program, whether a staffed or volunteer attorney program, is the outcomes achieved for clients, and the relationship of these outcomes to clients' most critical legal needs. We agree to strive for the following hallmarks which are characteristics enhancing a pro bono program's ability to succeed in providing effective services addressing clients' critical needs.

1. Participation by the local bar associations. The associations believe the program is necessary and beneficial.

2. Centrality of client needs. The mission of the program is to provide high quality free civil legal services to low-income persons through volunteer attorneys. Client needs drive the program, balanced by the nature and quantity of resources available. The staff and volunteers are respectful of clients and sensitive to their needs.

3. Program priorities. The program engages in a priority-setting process, which determines what types of problems the program will address. Resources are allocated to matters of greatest impact on the client and are susceptible to civil legal resolution. The program calls on civil legal services and other programs serving low-income people to assist in this process.

4. Direct representation component. The core of the program is direct representation in which volunteer attorneys engage in advocacy on behalf of low-income persons. Adjunct programs such as advice clinics, pro se clinics and paralegal assistance are dictated by client needs and support the core program.

5. Coordination with state and local civil legal service programs and bar associations. The programs work cooperatively with the local funded civil legal services programs. The partnerships between the civil legal services programs and the local bar association results in a variety of benefits including sharing of expertise, coordination of services, and creative solutions to problems faced by the client community.

6. Accountability. The program has mechanisms for evaluating the quality of service it provides. It expects and obtains reporting from participating attorneys concerning the progress/outcome of referred cases. It has the capability to demonstrate compliance with requirements imposed by its funding source(s), and it has a grievance procedure for the internal resolution of disputes between attorneys and clients.

7. Continuity. The program has a form of governance, which ensures the program will survive changes in bar leadership, and has operational guidelines, which enable the program to survive a change in staff.

8. Cost-effectiveness. The program maximizes the level of high quality civil legal services it provides in relationship to the total amount of funding received.

9. Minimization of barriers. The program addresses in a deliberate manner linguistic, sensory, physical and cultural barriers to clients' ability to receive services from the program. The program does not create undue administrative barriers to client access.

10. Understanding of ethical considerations. The program operates in a way which is consistent with the Rules of Professional Conduct; client confidentiality is assured and conflicts of interest are avoided.

11. ABA Standards. The program is designed to be as consistent with the ABA Standards for Programs Providing Civil Pro Bono Legal Services to Persons of Limited Means as possible.

No events, shortages or irregularities have occurred and no facts have been discovered which would make the financial statements provided to you materially inaccurate or misleading. To our knowledge there is nothing reflecting unfavorably upon the honesty or integrity of members of our organization. We have accounted for all known or anticipated operating revenue and expense in preparing our funding request.

We agree to provide human-interest stories promoting Pro Bono activities in a timely manner upon request of the Indiana Bar Foundation or Indiana Pro Bono Commission. We further agree to make ourselves available to meet with the Pro Bono Commission and/or the Indiana Bar Foundation to answer any questions or provide any material requested which serves as verification/source documentation for the submitted information.

Explanation of items stricken from the above Letter of Representation:

District V Pro Bono Committee Composition:

The Committee does not currently have two (2) community at large representatives. Committee Members will actively recruit two (2) community representatives, including at least one present or past recipient of pro bono publico services.

It is understood that this Letter does not replace the Grant Agreement or other documents required by the Indiana Bar Foundation or Indiana Pro Bono Commission.

Signatures:

Thomas C. Perrone, Dist. V Judicial Appointee

Date

Thomas C. Perrone, Dist. V Plan Administrator

Date

2002 REPORT AND 2004 PLAN SUMMARIES

1. In 125 words or less, please write a brief summary of your District's 2002 progress suitable for use in press releases.

The District V Committee addressed four (4) needs in 2002. Each committee member actively recruited new volunteer attorneys from their local bar. Howard County Legal Aid increased the number of participating volunteer attorneys from 20 to 23. The Lafayette office of Indiana Legal Services, Inc. ("ILSI") continued to conduct client intake, screen for eligibility and refer prospective clients, provide malpractice insurance coverage for volunteer attorneys, and other administrative support.

With the advent of "Parenting Time Guidelines" significant problems were anticipated for parents not knowing their rights and responsibilities. The Committee published and distributed two thousand (2000) copies of the guidelines to the judges in each county, so that parents involved in a divorce or paternity case would be able to have a copy of the guidelines.

In 2002, 382 prospective clients were interviewed and screened by ILSI. Twenty-four (24) cases were placed with volunteer attorneys. Volunteer attorneys donated 99.5 hours in 2002. Howard County Legal Aid attorneys interviewed and assisted upwards of a dozen or more clients every week.

As ILSI interviewed and screened applicants, ILSI identified 22 clients interested in the possibility of representing themselves in litigation. ILSI provided them with complete pro se packets with forms and instructions to assist them in litigating their own case.

2. In 125 words or less, please write a brief summary of the 2004 grant request suitable for use in press releases related to any grant award. Suggested areas to cover are: needs to be addressed, methods, target audience, and anticipated outcomes.

Recruitment of volunteer attorneys is a high priority for Committee members, who will continue efforts to recruit new volunteer attorneys, enlisting the aid of local judges. Complementing these efforts, the Committee will provide a new "point of entry" for low-income individuals. Local Judges will be able to make referrals directly to local volunteer attorneys.

The Committee will increase the visibility and understanding of Pro Bono activity in District V, among both the legal community and the general public, by publicizing its new name, "Wabash Valley Volunteer Attorneys", with the hope of increasing the number of volunteer attorneys, and improving access to Pro Bono representation. Efforts will continue to expand the current roster of 23 Howard County Legal Aid attorneys who take turns meeting with prospective clients every Tuesday afternoon in the Howard County Courthouse. The Committee's goal is to refer up to two (2) cases to each volunteer attorney in 2004.

The Committee will seek the cooperation and support of Judges in each county to facilitate access to and use of pro se materials. The Committee will work with ILSI to make pro se materials available, and will work to recruit volunteer attorneys who will be available to consult with pro se litigants to review forms and to explain what will happen in court.

2002 REPORT

In the next two pages, describe your District's 2002 achievements and activities in relation to the plan approved for 2002 funding. It is permissible to include a relevant number of appendices to further describe 2002 achievements. Please number and reference the appendices.

District V's 2002 plan addressed the following four (4) areas:

- 1) Recruitment of additional volunteer attorneys.
- 2) Educating the general public regarding; a) legal rights and responsibilities; b) the current availability of legal assistance to low-income persons; and c) recognizing when legal assistance is needed.
- 3) Providing access to legal representation for low-income persons.
- 4) Assisting Pro Se litigants to effectively represent themselves.

ACHIEVEMENTS AND ACTIVITIES

Recruitment of additional volunteer attorneys

- A. The Committee continued to work with the Bench and Bar in each county to encourage attorney participation. Each committee member actively recruited new volunteer attorneys from their local bar.
- B. Howard County Legal Aid also continued its efforts to add to the roster of volunteer attorneys serving low-income residents of Howard County, and increased the number of participating attorneys from 20 to 23.
- C. Indiana Legal Services, Inc. ("ILSI") continued to provide the following support to encourage attorneys to volunteer:
 - 1) Conduct intake, screen for eligibility and refer prospective clients;
 - 2) Provide malpractice insurance coverage for volunteer attorneys;
 - 3) Offer financial assistance with extraordinary litigation expenses.

Educating the general public

With the advent of "Parenting Time Guidelines" significant problems were anticipated with parents not knowing their rights and responsibilities under these new, complex guidelines. With the complexity of the guidelines, the Committee believed it is essential that every parent involved in a divorce or paternity case be able to have a copy of the guidelines regardless of economic ability. The Commit-

tee published and distributed two thousand (2000) guidelines to the judges in each county based on the county's population. The judges distributed the guidelines as they determined necessary.

Providing access to legal representation for low-income persons.

- A. With financial support from the Committee, ILSI continued to provide client intake, eligibility screening and referral of prospective clients to volunteer attorneys. In 2002, 382 prospective clients were interviewed and screened. Twenty-four (24) cases were placed with volunteer attorneys. Volunteer attorneys donated 99.5 hours.
- B. Howard County Legal Aid provided legal advice and representation to significant numbers of low-income residents of Howard County. Howard County Legal Aid attorneys interview and assist upwards of a dozen or more clients every week.
- C. ILSI provided malpractice insurance coverage for volunteer attorneys and maintained an extraordinary litigation expense fund to assist volunteer attorneys with litigation and out-of-pocket expenses.

Assisting Pro Se litigants to effectively represent themselves.

As ILSI interviewed and screened applicants, ILSI identified 22 clients interested in the possibility of representing themselves in litigation. ILSI provided them with complete pro se packets with forms and instructions to assist them in litigating their own case.

<u>2002 VOLUNTEER LAWYER ACTIVITY</u>				
Legal Service Provider Agency or Organization (Include Bar Associations)	Number of Participating Volunteer Lawyers	Number of Volunteer Lawyer Hours Reported on Cases Closed in 2002	Number of Open Volunteer Lawyer Cases	Number of Low-income Citizens Receiving Limited Legal Information from Volunteer Lawyers*
Cass	5	26.6	11	
Fulton	3	8.2	5	
Howard	1	6.6	1	
Miami	6	26.3	8	
Tipton	0	0	0	
Wabash	1	8.5	3	
Howard County LA	23	Data not	available	
<u>TOTALS</u>	39	76.2	28	

*This category includes Volunteer Lawyer public outreach to low income citizens for a one-time, limited contact such as call-in or walk-in information services, pro-se clinics and panel presentations. Please put in parentheses the number of citizens whose income was not determined.

Definitions:

Case: A legal matter referred to a pro bono attorney volunteer

Participating Volunteer Lawyer: An attorney who has rendered pro bono service to at least one low-income client during the year or accepted a pro bono referral from the identified program.

2002 VOLUNTEER LAWYER ACTIVITY, CONTINUED *
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Please list any volunteer lawyer activity category utilized by the organization receiving Pro Bono funding which was not included in the previous table. Include the definition and 2002 statistics for the category.

In order to make reporting more consistent and concise in the future, please list the various categories used by legal service providers in your district for recording volunteer lawyer activity. Define each category. (If more than one agency or organization has the same category and definition, please list it once, indicating the number of organizations using the category.)

Volunteer Attorney Case: Legal matter referred to volunteer attorney for representation

Legal Consultation: Legal advice session (phone or in-person) provided by volunteer attorney.

Community Education Presentation: Community legal education presentation provided by volunteer attorney on substantive legal matter of interest to low-income community.

Pro Se Consultation: Volunteer attorney meeting with one or more pro se litigants to review pro se forms and explaining what will happen in Court.

2002 VOLUNTEER LAWYER ACTIVITY BY TYPE OF CASE

Number Of Lawyers Participating In Pro Se Clinics, Call-In Services And Other Limited Informational Activities in 2002: N/A .

Type Of Case (Primary Issue)	Total Of All District Legal Service Pro- vider Active Cases Assigned To And Accepted By A Volunteer Lawyer.
Consumer/Finance	
Education	
Employment	
Family	
Guardianship	
Juvenile	
Health	
Housing	
Immigration/Naturalization	
Income Maintenance	
Individual Rights	
Mediation	
Wills & Estates	
Other (specify)	
Total Number of Cases	

2004 PLAN AND REQUEST

In the following two pages, describe items or activities planned for 2004 for which funding is requested.

If a special event, such as a pro se clinic, volunteer banquet, or Continuing Legal Education seminar is planned, please include the total projected cost of the event in parenthesis at the end of the descriptive paragraph.

Attorney Recruitment and Recognition

Recruitment of additional volunteer attorneys continues to be a high priority for the Committee. In 2004, committee members will continue their personal efforts to recruit new volunteer attorneys, however, committee members will enlist the aid of their local judges to encourage attorneys to volunteer. Volunteer attorneys will be recognized during law week activities in each county.

New “Point of Entry”

Complementing the efforts of committee members to enlist the assistance of their local judges to recruit additional volunteer attorneys, the Committee will implement plans developed in 2003 to provide a new “point of entry” for low-income individuals seeking Pro Bono representation. Local judges, utilizing a streamlined application process upon determining that a low-income pro se litigant needs legal representation, will be able to make a referral directly to a local volunteer attorney. The committee will continue working with ILSI to provide malpractice insurance coverage for these cases.

Increasing District V’s Visibility

The Committee will implement efforts begun in 2003 to increase visibility and understanding of its efforts to promote Pro Bono activity in District V, among both the legal community and the general public, by publicizing its new name, “Wabash Valley Volunteer Attorneys”. Written materials and information to local media outlets will be prepared and distributed to increase awareness of the work of the Committee, with the hope of increasing the number of volunteer attorneys, and improving the ability of low-income individuals to know how to access Pro Bono representation.

Howard County Legal Aid

Organized by the Howard County Bar Association, Howard County Legal Aid (“HCLA”) has a long history of serving the legal needs of low-income individuals in Howard County. Efforts will continue to expand the current roster of 23 attorneys who take turns meeting with prospective clients every Tuesday afternoon in the Howard County Courthouse. The Committee will continue working

with HCLA in an effort to “quantify” both the number of individuals served by HCLA, and the number of hours donated by HCLA volunteer attorneys.

Increasing number of Volunteer Attorney cases

Publicizing the new name, as well as the new point of entry, is anticipated to result in additional attorney participation and an increase in the number of appropriate referrals to volunteer attorneys. The Committee’s goal is to refer up to two (2) cases to each volunteer attorney in 2004.

Client intake, eligibility screening, case referral, and administration

ILSI will continue to receive financial support from the Committee to conduct prospective client intake, eligibility screening, case referral and other administrative responsibilities, including malpractice insurance coverage for participating attorneys, handling District funds, record keeping and statistical reporting.

Community Legal Educations Presentations

At least one community legal education program will be held in each county in the District. Each county’s committee member will be responsible for coordinating with local human service providers the location, scheduling, topic, speaker, preferably a pro bono attorney, and materials. Whenever possible, the program will be scheduled in conjunction with a larger function or series of events, to take advantage of increased publicity and community support.

Support of Pro Se Activities

The Committee will continue efforts to seek the cooperation and support of the Bench in each county to facilitate access to and use of pro se materials by pro se litigants. The Committee will work with ILSI to make pro se materials available to low-income litigants. The Committee will work to recruit volunteer attorneys in each county who will be available to consult with pro se litigants to review forms and to explain what will happen in court.

2004 PRO BONO DISTRICT ACTIVITIES

Please check the activities, which your district organization will provide during 2004 to support the pro bono efforts of the attorneys in your district. If the activity is provided by another organization in your district, please put a plus sign (+) in the blank following the activity.

- | | | |
|--------------|--|--------------|
| <u> X </u> | Providing intake and screening of prospective clients | <u> X </u> |
| <u> X </u> | Providing referral of prospective clients | <u> X </u> |
| <u> X </u> | Matching cases with individual attorney experience | <u> X </u> |
| <u> X </u> | Establishing and/or maintaining specialized panels of volunteer lawyers based on area of practice emphasis | _____ |
| <u> X </u> | Providing resources for litigation and out-of-pocket expenses | <u> X </u> |
| _____ | Providing legal education and training for pro bono attorneys in areas of practice emphasis useful in providing pro bono civil legal service | _____ |
| _____ | Providing the availability of consultation with attorneys whose practice concentration is in an area of law about which a volunteer lawyer is providing pro bono civil legal service (mentoring) | _____ |
| <u> X </u> | Providing malpractice insurance for volunteer pro bono lawyers | <u> X </u> |
| <u> X </u> | Establishing and/or maintaining procedures to ensure adequate monitoring and follow-up | <u> X </u> |
| _____ | Establishing and/or maintaining procedures to measure client satisfaction | _____ |
| <u> X </u> | Recognizing pro bono civil legal service by lawyers | _____ |
| <u> X </u> | Providing community outreach, legal education services or programs | <u> X </u> |
| _____ | Other _____ | _____ |
| _____ | Other _____ | _____ |

2004 PRO BONO DISTRICT ACTIVITIES, continued

1. List the joint efforts, activities or programs in which your district organization will be involved. Please include the name of the other organization(s), a brief description of the activity and a description of the resources provided to the effort by all participating organizations.

Please see the "2004 Plan and Request" section above for a description of the Committee's joint efforts with Howard County Legal Aid and Indiana Legal Services, Inc.

2. Number of cases in your district awaiting assignment to a Volunteer Pro Bono Attorney as of the date this report is prepared: 2
3. Percentage estimate of the types of cases awaiting assignment:
100% Divorce
4. List the efforts that will be made to recruit new pro bono volunteer lawyers:

Recruitment of additional volunteer attorneys continues to be a high priority for the Committee. In 2004, Committee members will continue their personal efforts to recruit new volunteer attorneys, however, Committee members will enlist the aid of their local judges to encourage attorneys to volunteer. Publicizing the Committees new name, as well as the new point of entry, is anticipated to result in additional attorney participation

2004 DISTRICT BUDGET FORM

COST CATEGORY	IOLTA \$	OTHER \$	DONATED	TOTAL	2003 Revised & Estimated
A. Personnel Costs					
1. Plan Administrator					
2. Lawyers					
3. Paralegals					
4. Others					
5. Salary Subtotal					
6. Employee Benefits					
7. Total Personnel Costs	0			0	0
B. Non Personnel					
1. Occupancy					
2. Equipment Rental					
3. Office Supplies					
4. Telephone					
5. Travel					
6. Training					
7. Library					
8. Malpractice Insurance	1000			1000	500
9. Dues and Fees					
10. Audit					
11. Contingent Reserve Fund for Operating Expenses					
12. Marketing and Promotion	2000			2000	2000
13. Litigation (Includes Expert Fees)	1000			1000	1000
14. Property Acquisition					
15. Purchase Payments					
16. Contract Services to Clients					
17. Contract Services to Program (with ILSI)	3000			3000	3000
18. Other (Recruiting)	1500			1500	1500
19. Total Non Personnel	8500			8500	8000
C. Total Expenditures	8500			8500	8000
1. Total Program Disbursements	8500			8500	8000
2. Litigation Fund *	2000			2000	1000

*Reserves in this category are not required to be resubmitted to the IBF if not spent during the allocation calendar year..

ANNUAL TIMETABLE FOR SUBMISSION OF FORMS AND CHECKS:

January 1:	Checks distributed
July 1:	Annual report, plan and grant application due to IPBC
November:	Notification of awards
December 1:	IBF grant agreement due and revised budget due (as needed)